



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
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MAILED

JAN 22 2003

Office of the Director  
Group 3600

In re application of :  
Yonezo Furuya :  
Application No. 09/528,282 :  
Filed: March 17, 2000 :  
For: COIN INSPECTION METHOD AND :  
APPARATUS THERFOR :

DECISION ON PETITION  
TO WITHDRAW THE  
HOLDING OF ABANDONMENT

This is in reply to applicant's petition to withdraw the holding of abandonment under 37 CFR 1.181 of November 25, 2002. There is no fee required for this petition.

The petition is **GRANTED**.

A review of the application file reveals that a final Office action was mailed to the applicant on March 12, 2002. An amendment was filed July 12, 2002. In response to the above amendment, the Office issued an Advisory Action on July 22, 2002. Because no further response was received prior to the expiration of the six month statutory period to respond, the application became abandoned and a Notice to that effect was mailed on November 7, 2002. The Notice of Abandonment incorrectly indicated that no response to the Final rejection was received box 1(d), when in actuality, box 1(b) should have been checked to indicate that the response of July 12, 2002 had been received but did not constitute a proper reply.

Applicant's petition alleges that in response to the above Advisory Action a CPA request was filed by facsimile on August 7, 2002. A copy of the CPA request is included with the petition. The petition also indicates that a copy of the applicant's facsimile Communication Result Report showing the successful transmission of the reply is included. Finally, a statement by William L. Androlia was received within the petition, which attests to the personal knowledge of transmitting the request on the date indicated on the Communication Result Report. This is sufficient evidence of a timely response as required under 37 CFR 1.6(f).

Since a timely response to the Office action was filed, the holding of abandonment is withdrawn and the application is restored to pending status. The application is being forwarded to the Supervisory Legal Instruments Examiner for entry of the CPA request filed with the petition, and then to the Primary Examiner for prompt action on the merits of the application.

Telephone inquiries relative to this decision should be directed to Special Programs Examiner Steven Meyers at (703) 308-3868.

  
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snm: 1/19/03

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